



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

March 31, 1993

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Honorable William S. Cohen  
United States Senate  
Washington, D.C. 20510

In re: MM Docket No. 92-258

Dear Senator Cohen:

This is in response to your letter with which you enclosed a copy of a letter from Mr. Richard Rhames concerning section 10 of the Cable Consumer Protection and Competition Act of 1992 relating to cable television access channels.

As you may be aware, Section 10 of this new Act required the Commission to adopt rules that enable cable operators to prohibit the use of the public, educational, and governmental access channels for programming that contains obscene materials, sexually explicit conduct, or materials promoting or soliciting unlawful conduct. On March 26, 1993, the Commission adopted a Second Report and Order in MM Docket No. 92-258, FCC 93-164, which adopts rules that implement this part of section 10 and which addresses some of the concerns raised by Mr. Rhames' in his letter. As soon as the Report and Order has been officially released, I will forward a copy to Mr. Rhames.

As you note in your letter, the official comment period in this proceeding has expired. I have requested, however, that a copy of Mr. Rhames letter be included in the record of MM Docket No. 92-258, should the Commission decide that further consideration in this proceeding is warranted.

If you should desire any additional information, please let me know.

Sincerely,

Renee Licht  
Acting General Counsel

cc: Dockets Branch

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# Congressional

## CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/24/93

### LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300792	02/24/93	02/17/93	03/16/93 4/16	
TITLE	MEMBERS NAME	REPLY FOR SIG OF		
Senator	William Cohen	EC		

CONSTITUENT'S NAME	SUBJECT
Richard Rhames	Inquiry on cable matters

REF TO  
MMB

REF TO  
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DATE  
02/24/93

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REMARKS

OFFICE OF CHIEF

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MASS MEDIA BUREAU

WILLIAM S. COHEN  
MAINE

United States Senate  
WASHINGTON, DC 20510

MMB  
CAN  
7/2/93

February 17, 1993

11 13 AM '93

Steven Klitzman, Associate Director  
Legislative Affairs  
Federal Communications Commission  
Room 808, 1919 M Street, N.W.  
Washington, D.C. 20554

Dear Mr. Klitzman:

Enclosed, please find a copy of a letter that I  
received from a constituent, Richard Rhames of Biddeford,  
Maine, regarding the implementation of S. 12. the Cable

December 18, 1992

Senator William Cohen  
U.S. Senate  
Washington, D.C. 20510

Dear Senator Cohen,

Thank you for the calendar and for the card. Merry

This provision has also led to the Time Warner suit filed November 5, 1992. In this suit the company seeks to be relieved of its new liability. One of its suggested options to the court is to eliminate access as, I gather, an infringement on their property rights. This is getting ugly.

The new Cable Act also attempts to chill speech by charging the FCC with promulgating rules to censor access. Apparently, the FCC, warming to its task, is contemplating a "certification" process for access producers. Some of us worry that this is heading toward bonding, pre-screening, and negotiations with decency-czars as part of access production. This is not a welcoming format.

Senator, I believe that you have an appreciation of the beauty and power of speech. I hope that you believe that this nation is better served by more speech rather than less. PEG access offers a small accomodation on the part of government and corporations. It allows image and language transmtion on a first-come-first-served basis, unrelated to the ability to pay. Like a soapbox in a public park it offers an opportunity for people to speak and to be heard by those who will listen. If this republic cannot tolerate these non-commercial voices we are in worse shape than I thought.

Respectfully,



Richard Rhames

10 West Loop Road

Biddeford, Maine

04005